

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

THE STATE OF GEORGIA

v.

JEFFREY BOSSERT CLARK,

Defendant.

CIVIL ACTION FILE

No. 1:23-CV-03721-SCJ

RE: NOTICE OF REMOVAL OF
FULTON COUNTY SUPERIOR
COURT INDICTMENT NO.
23SC188947

ORDER

This matter appears before the Court on the Motion for Leave to File Brief as *Amici Curiae* in Support of Remand by Former Judges, Prosecutors, and State and Federal Executive Officials. Doc. No. [13].

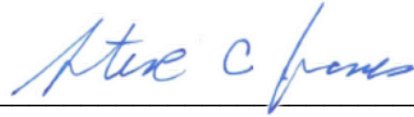
An amicus curiae is a “friend of the court.” Amicus Curiae, Black’s Law Dictionary (11th ed. 2019). Although there is no formal rule governing the filing of amicus curiae briefs, district courts possess the inherent authority to grant or refuse leave to amicus parties. In re Bayshore Ford Trucks Sales, Inc., 471 F.3d 1233, 1249 n.34 (11th Cir. 2006). “The decision whether to allow a non-party to participate as an amicus curiae is solely within the broad discretion of the

Court.” DeJulio v. Georgia, 127 F. Supp. 2d 1274, 1284 (N.D. Ga. 2001) rev’d on other grounds, 276 F.3d 1244 (11th Cir. 2001) (citing Resort Timeshare Resales, Inc. v. Stuart, 764 F. Supp. 1495, 1500 (S.D. Fla. 1991); Ellsworth Assocs., Inc. v. United States, 917 F. Supp. 841, 846 (D.D.C. 1996)); see also Concerned Area Residents for Environ. v. Southview Farm, 834 F. Supp. 1410, 1413 (W.D.N.Y. 1993) (“District courts have broad discretion in deciding whether to accept *amicus* briefs.”). Courts typically grant amicus status where the parties “contribute to the court’s understanding of the matter in question” by proffering timely and useful information. Conservancy of Sw. Fla. v. U.S. Fish and Wildlife Serv., No. 2:10-cv-106, 2010 WL 3603276 at *1 (M.D. Fla. Sept. 9, 2010) (citing Harris v. Pernsley, 820 F.2d 592, 603 (3d Cir. 1987)).

Having read the proposed brief of the former judges, prosecutors, and state and federal executive officials, the Court finds that it will assist the Court in understanding and deciding the pending issues.

For the foregoing reasons, the Court **GRANTS** the Motion for Leave to File as Amici Curiae in Support of Remand (Doc. No. [13]). The Clerk is **DIRECTED** to refile Doc. No. [13-1] as a new docket entry on CM/ECF.

IT IS SO ORDERED this 15th day of September, 2023.



HONORABLE STEVE C. JONES
UNITED STATES DISTRICT JUDGE